

AO 120 (Rev. 3/04)

<b>TO:</b> <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
--	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Northern District of Georgia on the following ☒ Patents or ☒ Trademarks:

DOCKET NO. 1:11-CV-1387-TWT	DATE FILED 4/28/2011	U.S. DISTRICT COURT Northern District of Georgia
PLAINTIFF  DIXIE CONSUMER PRODUCTS LLC		DEFENDANT  DIXIE PRINTING & PACKAGING, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <i>See attalme</i>		SEE ATTACHED COMPLAINT
2 <i>pgs 5-8</i>		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input checked="" type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Answer	<input checked="" type="checkbox"/> Cross Bill	<input checked="" type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
1				
2				
3				
4				
5				

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
--------------------

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

Trademark	App/Reg Number	Goods	First Use in Commerce Date (at least as early as)
DIXIE	120,264	Drinking cups, cartons made of paper, cardboard, or a cardboard-like material, and containers for beverages, confections, and fancy and staple foodstuffs	06-15-1917
DIXIE	3,666,751	Cup dispenser	12-31-1920
DIXIE	3,098,275	Plastic Lids	10-21-1958
DIXIE	732,447	Disposable eating utensils	10-06-1959
DIXIE	3,279,238	Cutlery, namely, disposable knives, forks and spoons	12-31-1959
DIXIE	753,917	Butter chips, hot dog holders and trays made of paper, plastic and combinations of the same	09-06-1962
DIXIE	2,420,128	Disposable plates and bowls	03-31-1963
<b>DIXIE</b>	1,070,923	Disposable eating utensils, namely, knives, forks and spoons.	12-31-1969
<b>DIXIE</b>	1,112,247	Paper trays, paper cups, food containers and cartons for commercial use; paper and plastic trays, containers, cartons for domestic use, and cups of paper or plastic for either domestic or commercial use; Paper trays, paper cups, food containers and cartons	12-31-1969
<b>DIXIE</b>	2,420,129	Disposable plates and bowls	12-31-1969
DIXIE PERFECTOUCH	2,120,617	Paper cups	08-06-1996

Trademark	App/Reg Number	Goods	First Use In Commerce Date (at least as early as)
DIXIE	3,054,693	Food Wrap, namely paper wrappers used for packaging food.	05-08-2002
DIXIE	2,985,457	Plastic container with lids for food or beverage.	09-30-2002
DIXIE STONEWARE	2,907,200	Plates, bowls and serving platters	02-28-2003
EXCLUSIVELY FROM DIXIE	2,943,030	Containers for food or beverage.	02-28-2003
EXCLUSIVELY FROM DIXIE & Design	2,972,944	Disposable plates, bowls, cups, food containers and dispensers for lids made of paper.	02-28-2003
EXCLUSIVELY FROM DIXIE & Design	2,972,945	Meal trays, cups, plates, bowls, serving platters, beverage stirrers, tote bags and containers, all for food and beverages and all either thermal insulated or portable plastic.	02-28-2003
DIXIE WARE	2,915,164	Plastic covers for food or beverage storage; Plastic containers for food or beverage storage.	08-31-2003
DIXIE WARE & Design	2,915,153	Container closures of plastic, namely, covers for storage.; Portable plastic containers for storage of food, beverage, household and kitchen goods.	08-31-2003

Trademark	App/Reg Number	Goods	First Use in Commerce Date (at least as early as)
DIXIE PERFECTOUCH GRAB 'N GO & Design	3,666,715	Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass use	03-03-2004
DIXIE	2,921,579	Drinking straws.	06-22-2004
DIXIE	3,316,677	Drinking straws; plastic clips for sealing bags; Bottle openers; Coasters not of paper and not being table linen; Toothpick holders; Toothpicks; Dish cloths; Oven mitts; Place mats not of paper; Pot holders; Textile tablecloths; Can openers	09-16-2004
DIXIE KRAZY KRITTERS	3,316,676	Paper banners; Paper party bags; Paper party hats; Costume masks; Paper streamers	05-06-2005
DIXIE ULTRA	3,231,429	Paper Plates & Bowls	03-31-2006
MAKE IT A DIXIE DAY	3,295,813	Bowls; Meal trays; Paper cups; Plastic cups; Plates.	03-31-2006
DIXIE	3,383,241	Cutlery dispensers primarily made of plastic for restaurant or commercial use	03-17-2007
DIXIE	3,386,391	Paper napkins	09-03-2007

Trademark	App/Reg Number	Goods	First Use in Commerce Date (at least as early as)
MAKE IT A DIXIE DAY	3,509,541	Paper napkins	09-30-2007
DIXIE ULTRA	3,509,542	Serving platters	03-31-2008
DIXIE	77/442,786	Training cups for babies and children	
DIXIE	77/395,072	Paper hand towels	
DIXIE ULTRA	77/796,282	Cups	
DIXIE ULTRA	77/796,283	Cutlery, namely, knives, forks and spoons	
DIXIE ULTRA	85/226,758	Paper napkins	

10. The DIXIE® Marks are valid and subsisting and have been used continuously by Dixie since the date of first use set forth in the referenced registrations. Many of the above-referenced marks are incontestable.

11. Since at least as early as April 4, 2006, Dixie has continuously used the ECOSMART word mark. Since at least as early as April 30, 2007, Dixie has continuously used the ECOSMART & Design mark. The ECOSMART & Design mark has the following appearance: